

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: EASTERN IOWA LIGHT AND POWER COOPERATIVE and WILTON MUNICIPAL LIGHT AND POWER	DOCKET NO. SPU-03-2
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**ORDER GRANTING PETITION FOR MODIFICATION
OF SERVICE AREA BOUNDARIES**

(Issued April 16, 2003)

On January 27, 2003, Eastern Iowa Light and Power Cooperative (Eastern Iowa) and Wilton Municipal Light and Power (Wilton) filed with the Utilities Board (Board) a joint petition for modification of electric service area boundaries pursuant to 199 IAC 20.3(9). Corrections to the legal descriptions were filed on March 12, 2003. No objections to the petition were filed.

Eastern Iowa and Wilton request the Board modify the service territory boundary between the two utilities in Muscatine County, Iowa. The following service territory is to be transferred from Eastern Iowa to Wilton:

That part of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 6, Township 78 North, Range 1 West, North and East of a line described as follows:
Beginning at the Northwest corner of the Northwest Quarter (NW ¼) of Section 6; thence East 250 feet; thence South 668 feet; thence East 343 feet; thence South 280 feet; thence East 150 feet; thence North 75 feet; thence East 90 feet; thence North to the North boundary of Section 6, all in Muscatine County, Iowa.

The following service territory is to be transferred from Wilton to Eastern Iowa:

That part of the North 1,170 feet of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 1, that lays east of U.S. Highway 6, Township 78 North, Range 2 West, Muscatine County, Iowa.

In support of the petition, Eastern Iowa and Wilton state in paragraph 4 of their January 27, 2003, filing that “[t]he proposed service area boundary lines will reduce the necessity of duplication of facilities for the utilities involved, as it follows as much as possible the property lines between the properties on which each presently has facilities.”

Iowa Code § 476.25 (2003) provides in pertinent part:

Contracts between electric utilities to designate service areas and customers to be served by the electric utility or for the exchange of customers between electric utilities, when approved by the board, shall be valid and enforceable and shall be incorporated into the appropriate exclusive service areas established pursuant to subsection 1 of this section. The board shall approve a contract if it finds that the contract will eliminate or avoid unnecessary duplication of facilities, will provide adequate electric service to all areas and customers affected, will promote the efficient and economical use and development of the electric systems of the contracting electric utilities, and is in the public interest.

The Board will grant the Eastern Iowa and Wilton joint petition for modification of service area boundaries. Eastern Iowa and Wilton have alleged facts which establish the proposed modification is in the public interest, will prevent unnecessary duplication of facilities, provide adequate electric service to all customers affected, and will promote the efficient and economical use of electrical systems, pursuant to Iowa Code § 476.25.

IT IS THEREFORE ORDERED:

The joint petition for modification of electric service area boundaries filed by Eastern Iowa Light and Power Cooperative and Wilton Municipal Light and Power on January 27, 2003, is granted, subject to complaint or investigation.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 16th day of April, 2003.